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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,268	11/23/2001	Isabelle Amonou	1807.1894	2410

5514 7590 06/14/2006

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NEW YORK, NY 10112

EXAMINER

JUNG, DAVID YIUK

ART UNIT PAPER NUMBER

2134

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/990,268	Applicant(s) AMONOU ET AL.	
	Examiner David Y. Jung	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/23/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/02;12/04;12/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-33 are presented.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7-13, 19-33 are rejected under 35 U.S.C. 102(b) as being anticipated by 513 reference (cited by French Patent Office, Cox, EP0840513A2).

Examiner Marie-Julie of the French Patent Office cited the particular similarities between 513 and the claims of the priority application. The subject matter of claims 1-28 of the priority application corresponds to claim 1-28 of this application. The subject matter of claims 1, 13, 1, 11, 12 of the priority application corresponds to claims 29-33 of this application.

Regarding claim 1, 513 teaches "A method of inserting a message in a subset of digital data representing physical quantities, characterized in that the method includes the steps of: a) estimating a capacity to receive a message for said subset, b) selecting from a set of messages a message having a size less than or equal to the estimated capacity, and c) inserting the selected message in the said subset of digital data --

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page 3, column 3, lines 45-53; column 5, lines 48-58; page 6, column 10, line 13 to page 7, column 11, line 5; page 7, column 12, line 13-48; i.e., the various ways in which the water mark signals are inserted with different ordering and with different components).

Regarding claims 7-11 (various ways of segmenting and combining), 513 mentions these features at page 3, column 3, lines 45-53 and discusses them in more detail at column 5, lines 48-58; page 6, column 10, line 13 to page 7, column 11, line 5; page 7, column 12, line 13-48. Note the particular correlation handlings of 513 which teach the coefficient handlings of claims 7-11.

Regarding claim 12 (extraction, etc.) note Figure 9. This figure shows the extraction that handles the watermark signal handlings that had taken place during the processes noted at page 3, column 3, lines 45-53; column 5, lines 48-58; page 6, column 10, line 13 to page 7, column 11, line 5; page 7, column 12, line 13-48.

Regarding claims 13, 19-28, these claims are device analogs to method claims 1, 7-12. For the reasons noted in the rejections of claims 1, 7-12, these claims are not patentable.

Regarding claims 29-33, these claims recite the physical storage media and executables. Note column 1, lines 3-23 which discusses the various digitized media and hardware devices.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6, 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over 513 (cited by French Patent Office, Cox, EP0840513A2) and 468 (cited by French Patent Office, Cox, EP0766468A2).

Examiner Marie-Julie of the French Patent office cited the particular similarities between 468 and the claims of the priority application.

In the following paragraphs, unless otherwise noted, the referred claims are that of this US patent application.

Regarding claims 2-6 (various sizing handlings), 513 teaches as noted in the previous paragraphs. 513 does not teach the exact details of these sizings. 468 teaches the various scale parameter handlings (page 7, column 11, line 19 to page 9, column 15, line 35) which of course suggests the sizings for the motivation of having effective watermarking (noted throughout 468, such as at column 11, lines 29-45).

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine 513 and 468 for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 14-18, these claims are device analogs to method claims 2-6. For the reasons noted in the rejections of claims 2-6, these claims are not patentable.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

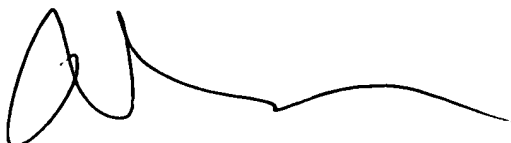
(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Jacques Louis-Jacques whose telephone number is (571) 272-6962.

David Jung

Patent Examiner

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke.

6/11/06